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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/552,212 | 11/01/2005 | Josef Guttenbrunner | P/3240-104 | 6755 |

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| EXAMINER | |
|---|---|
| KERNS, KEVIN P | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 1793 | |

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| 12/18/2008 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/552,212 | GUTTENBRUNNER ET AL. | |
| | Examiner | Art Unit | |
| | Kevin P. Kerns | 1793 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *06 October 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-4 and 6-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *4,6-9,12 and 14* is/are allowed.

6)☒ Claim(s) *1-3,10,11,13,15 and 16* is/are rejected.

7)☒ Claim(s) *13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 October 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Objections*

1. Claim 13 is objected to because of the following informalities: claim 13 is dependent on cancelled claim 5, and it should be corrected to be dependent on claim 1. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-3, 10, 11, 13, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukase et al. (US 5,638,891) in view of Scheurecker (US 4,164,252).

Fukase et al. disclose a strand guiding roll that supports and guides cast metal strands in a continuous casting apparatus, in which the guiding roll comprises the following features (see abstract; column 1, lines 55-67; column 2, lines 1-39 and 59-67; column 3, lines 1-67; column 4, lines 1-32; and Figure 1):

a central shaft 12 with a roll shell (outer circumferential wall 14) – see Figure 1;

support rings 18 on the shaft 12 supporting the roll shell 14, with the shaft 12, the roll shell 14, and the support rings 18 being shaped to define an annular space which is axially delimited by the support rings 18 and is formed between the shaft 12 and the roll shell 14 (Figure 1);

Fukase et al. further disclose a connection to the annular space for the space to be a coolant conduit via the connections.

Furthermore, Fukase et al. disclose sealing elements arranged between the support rings 18 and the shell 14 and between the support ring 18 and the shaft 12 (Figure 1).

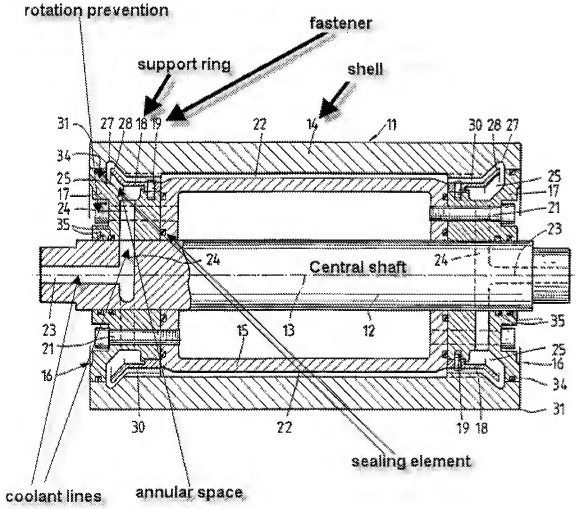
The conduit lines are in the axis of the shaft 12 and the annular space.

Fukase et al. disclose a rotation-preventing device passing along the annular space to secure the shell 14.

The central shaft 12 has opposite end regions for supplying and discharging coolant (Figure 1).

The coolant lines have rotary connections (interpreted broadly as screw-in connection pieces as a connection).

All of the mentioned components are shown in the figure below (Figure 1 of Fukase et al.) generated by examiner for clarification.



Fukase et al. do not specifically disclose that the rotation-preventing device is shaped to secure the roll shell directly against rotation with respect to the shaft.

However, Scheurecker discloses a strand guiding roller for a continuous casting plant, in which the roller (best shown in Figures 1 and 2) comprises a central rotatable shaft 1, roll shells (roller bodies 4 designed as exchangeable wear sleeves), and rotation-preventing means (in the form of feather keys 5 or other catch connections) that are shaped to secure the roll shells 4 directly against rotation with respect to the shaft (abstract; and column 2, lines 17-25), such that the rotation-preventing device (feather keys or catch connections) shaped to secure the roll shell directly against rotation with respect to the shaft is advantageous for securing the exchangeable wear sleeves (roll shells) against rotation, thus obtaining strand guiding roller bodies that are simply designed and are produceable with little expenditure, since roller bodies are subject to wear and are exchanged quite frequently (abstract; column 1, lines 25-33 and 43-68; column 2, lines 17-68; column 3, lines 1-10; and Figures 1-3).

It would have been obvious to one of ordinary skill in the art at the time the applicants' invention was made to modify the rotation-preventing device of the strand guiding roll that supports and guides cast metal strands in a continuous casting apparatus, as disclosed by Fukase et al., by using the rotation-preventing means (feather keys or catch connections) that secure the roll shell directly against rotation with respect to the shaft, as taught by Scheurecker, in order to secure the exchangeable wear sleeves (roll shells) against rotation, thus obtaining strand guiding roller bodies that are simply designed and are produceable with little expenditure, since roller bodies

are subject to wear and are exchanged quite frequently (Scheurecker; abstract; and column 1, lines 25-33 and 43-57).

***Allowable Subject Matter***

5. Claims 4, 6-9, 12, and 14 are allowed.

***Response to Arguments***

6. The examiner acknowledges the applicants' amendment received by the USPTO on October 6, 2008. The amendments raise a new objection to claim 13 (see above section 1). In addition, the amendments to write claims 4, 6, and 14 in independent form now place claims 4, 6-9, 12, and 14 in condition for allowance (see above section 5). The applicants have cancelled claim 5. Claims 1-4 and 6-16 are currently under consideration in the application.

7. Applicants' arguments with respect to claims 1-3, 10, 11, 13, 15, and 16 have been considered but are moot in view of the new ground(s) of rejection.

With regard to the applicants' remarks/arguments on page 8 of the amendment, it is noted that the newly underlined portion of the applicants' independent claim 1 includes not only the (cancelled) claim 5 limitations, but also includes the term "directly" in the limitation "a rotation-preventing device...directly against rotation with respect to the shaft". As set forth in the previous Office Action, Fukase et al. disclose a "rotation-preventing device" located adjacent but not in direct contact with rotation the shaft.

However, Scheurecker discloses a rotation-preventing device in direct contact (see the above 35 USC 103(a) rejections section). As a result, claims 1-3, 10, 11, 13, 15, and 16 remain rejected.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin P. Kerns whose telephone number is (571)272-1178. The examiner can normally be reached on Monday-Friday from 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Ward can be reached on (571) 272-1223. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin P. Kerns
Primary Examiner
Art Unit 1793

/Kevin P. Kerns/
Primary Examiner, Art Unit 1793
December 13, 2008